

Art Unit: 2185

DETAILED ACTION

1. As per the instant Application having Application number 10/697,183; the examiner acknowledges the applicant's submission of the amendment dated July 7, 2008. At this point, claims 1-3 have been amended, and claims 12-34 have been canceled. Claims 1-11 are pending.

ACKNOWLEDGEMENT OF REFERENCES CITED BY APPLICANT

2. As required by **M.P.E.P. 609(C)**, the applicant's submission of the Information Disclosure Statement dated July 7, 2008 is acknowledged by the examiner and the cited references have been considered in the examination of the claims now pending. As required by **M.P.E.P 609 C(2)**, a copy of the PTOL-1449 initialed and dated by the examiner is attached to the instant office action.

RELEVANT ART CITED BY THE EXAMINER

3. The following prior art made of record and not relied upon is cited to establish the level of skill in the applicant's art and those arts considered reasonably pertinent to applicant's disclosure. See **MPEP 707.05(c)**.

4. The following reference teaches adapting the polling rate for collecting job information from a network-connected device according to a polling rate which is adapted depending upon job progress information to obtain a desired balance between minimizing network traffic and obtaining a particular level of accuracy in collecting certain information from the device.

5. US 2002/0188707 (Terrill)

REASONS FOR ALLOWANCE

6. Per the instant office action, claims **1-11** are considered as allowable subject matter.

7. As per **claim 1**

The primary reasons for allowance of claim **1** in the instant applicant is the claimed combination with the inclusion in this claim of the limitation of a method of managing storage comprising periodically querying by a prefetcher a DICOM modality worklist and “**...querying said DICOM modality worklist by said at least one modality, at a configurable query rate, using said DICOM communications protocol, for information regarding at least one task scheduled to be performed by said at least one modality, wherein said configurable query rate is based on at least one parameter selected from the group consisting of: time of day, and workload of said at least one modality...**” The prior art of record, including the reference cited above neither anticipates nor renders obvious the above-recited combination.

8. Dependent **claims 2-11** are allowable at least for the reasons recited above including all the limitations of the allowable independent base claim upon which they depend.

9. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

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DIRECTION OF FUTURE CORRESPONDENCES

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yaima Campos whose telephone number is (571)272-1232. The examiner can normally be reached on Monday to Friday 8:30 AM to 5:00 PM.

IMPORTANT NOTE

11. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sanjiv Shah can be reached on (571)272-4098. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

12. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

October 14, 2008

/Yaima Campos/
Examiner, Art Unit 2185

/Sanjiv Shah/

Supervisory Patent Examiner, Art Unit 2185